

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

_____	:	CASE NO. 1:19-cv-2071
TRACY LYNNMARIE LOWER,	:	
	:	OPINION & ORDER
Plaintiff,	:	[Resolving Doc. 1]
	:	
vs.	:	
	:	
COMMISSIONER OF SOCIAL	:	
SECURITY ADMINISTRATION,	:	
	:	
Defendant.	:	
_____	:	

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On September 9, 2019, Plaintiff Tracy Lower filed a complaint seeking judicial review of Defendant Commissioner of Social Security's decision to deny her social security disability benefits and supplemental security income applications.<sup>1</sup> On August 17, 2020, Magistrate Judge James R. Knepp II recommended that the Court reverse the Commissioner's final decision.<sup>2</sup>

Magistrate Judge Knepp ordered the parties to file objections, if any, within fourteen days.<sup>3</sup> Neither party objected, and the time to do so has expired.

Under the Federal Magistrates Act, a district court must conduct a *de novo* review of those portions of a Report and Recommendation to which the parties have objected.<sup>4</sup> Absent objection, a district court may adopt a Report and Recommendation without

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<sup>1</sup> Doc. 1.

<sup>2</sup> Doc. 16.

<sup>3</sup> *Id.* at 25.

<sup>4</sup> 28 U.S.C. § 636(b)(1).

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review.<sup>5</sup>

Here, no party has objected to the Report and Recommendation, so this Court may adopt the Report and Recommendation without further review. Moreover, having conducted its own review of the petition and record, the Court agrees with Magistrate Judge Knepp's conclusions.

Accordingly, the Court **ADOPTS** Magistrate Judge Knepp's Report and Recommendation, incorporating it fully herein by reference, **REVERSES** the Commissioner's final decision, and **REMANDS** this case to the Administrative Law Judge.

IT IS SO ORDERED.

Dated: September 1, 2020

s/ *James S. Gwin*  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>5</sup> *Thomas v. Arn*, 474 U.S. 140, 149 (1985); L.R. 72.3(b).